

By: Ritter

H.J.R. No. 58

A JOINT RESOLUTION

1 proposing a constitutional amendment authorizing the legislature
2 to authorize casino gaming, to authorize the operation of video
3 lottery games by licensed horse and greyhound racetrack operators,
4 licensed casino operators, and recognized Indian tribes, and to
5 regulate the locations at which casino gaming may be conducted, and
6 establishing a higher education trust fund from state gaming
7 revenues to pay tuition and fees for the postsecondary education of
8 Texas high school graduates.

9 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

10 SECTION 1. Section 47, Article III, Texas Constitution, is
11 amended by amending Subsection (a) and adding Subsections (f) and
12 (g) to read as follows:

13 (a) The Legislature shall pass laws prohibiting lotteries
14 and gift enterprises in this State other than those authorized by
15 Subsections (b), (d), ~~(e)~~, and (f) of this section.

16 (f) The Legislature by general law may:

17 (1) authorize and provide for the regulation of casino
18 gaming conducted by the holder of a license issued by this State for
19 that purpose, including regulation of the locations at which casino
20 gaming may be conducted;

21 (2) authorize one or more of the following legal
22 entities to operate video lottery games:

23 (A) a person licensed in this State to conduct
24 wagering on a horse race or greyhound race and licensed by this

1 State to operate video lottery games on behalf of this State at the
2 location licensed for conducting wagering on horse races or
3 greyhound races;

4 (B) a person licensed by this State to operate
5 video lottery games on behalf of this State at a location at which
6 the person is licensed to conduct casino gaming; or

7 (C) an Indian tribe recognized by the United
8 States government under federal law and authorized to operate video
9 lottery games under an agreement negotiated with this State on land
10 over which the tribe exercises governmental power; and

11 (3) require all or part of this State's net revenue
12 from the regulation and taxation of casino gaming and video lottery
13 games to be deposited in a higher education trust fund that:

14 (A) is held outside the state treasury;

15 (B) is administered under the direction of the
16 comptroller; and

17 (C) may be used only as provided by law to pay
18 tuition and fees for the postsecondary education of Texas high
19 school graduates.

20 (g) For purposes of Subsection (f) of this section, "video
21 lottery game" means any game of chance, including a game of chance
22 in which the outcome may be partially determined by skill or
23 ability, that for consideration may be played by an individual on an
24 electronic machine or video display and in which the player may win
25 a thing of value each time the game is played, regardless of whether
26 the game is authorized as a lottery under Subsection (e) of this
27 section.

1 SECTION 2. This proposed constitutional amendment shall be
2 submitted to the voters at an election to be held November 6, 2007.
3 The ballot shall be printed to provide for voting for or against the
4 proposition: "The constitutional amendment authorizing the
5 legislature to authorize casino gaming in Texas, to authorize the
6 operation of video lottery games by licensed horse or greyhound
7 racetrack operators, licensed casino operators, and recognized
8 Indian tribes, and to regulate the locations at which casino gaming
9 may be conducted, and establishing a higher education trust fund
10 using state revenue from casino gaming and video lottery games to
11 pay tuition and fees for the postsecondary education of Texas high
12 school graduates."